

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.Nos.6953, 6961 and 6974 of 2020

M/s.R.M.D. Engineering College,
rep. by its Principal Dr.N.Anbuezhghian,
R.S.M. Nagar,
Kavaraipettai,
Gummidipoondi Taluk,
Thiruvallur District - 601 206. ... Petitioner in
W.P.No.6953/2020

M/s.R.M.K. Engineering College,
rep. by its Principal Dr.K.A.Mohamed Junaaid,
R.S.M. Nagar,
Kavaraipettai,
Gummidipoondi Taluk,
Thiruvallur District - 601 206. ... Petitioner in
W.P.No.6961/2020

M/s.Sri Durgadevi Polytechnic College,
rep. by its Principal Dr.K.Lakshmanan,
R.S.M. Nagar,
Kavaraipettai,
Gummidipoondi Taluk,
Thiruvallur District - 601 206. ... Petitioner in
W.P.No.6974/2020

-vs-

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1.The State of Tamil Nadu,
rep. by Principal Secretary to Government,
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.

2.The Employees State Insurance,
Regional Corporation,
rep. by its Regional Director,
No.143, Sterling Road,
Nungambakkam, Chennai-600 034.

3.The Employees' State Insurance Corporation,
rep. by the Deputy Director,
Regional Office,
143, Sterling Road,
Chennai - 600 034.

.. Respondents in
all WPs

W.P.No.6953 of 2020 filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration, declaring that the G.O.Ms.No.237, Labour and Employment (K1) Department, dated 26.11.2010 issued by the 1st respondent as illegal and unconstitutional and further declare the consequential Demand notices vide No.51001027840001304/12112019256 dated 11.12.2019 and vide No.TN/INS.VIII/51-00-102784-000-1304 dated 20.12.2019 issued by the 3rd respondent as illegal and unconstitutional.

W.P.No.6961 of 2020 filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration, declaring that the G.O.Ms.No.237, Labour and Employment (K1) Department, dated 26.11.2010 issued by the 1st respondent as illegal and unconstitutional and further declare the consequential Demand notices vide No.51001027820001304/121120191035 dated 11.12.2019 and vide No.TN/INS.VIII/51-00-102782-000-1304 dated 20.12.2019 issued by the 3rd respondent as illegal and unconstitutional.

W.P.No.6974 of 2020 filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration, declaring that the G.O.Ms.No.237, Labour and Employment (K1) Department, dated 26.11.2010 issued by the 1st respondent as illegal and unconstitutional and further declare the consequential Demand notices vide No.51001027850001304/12112019431 dated 11.12.2019 and vide No.TN/INS.VIII/51-00-102785-000-1304 dated 08.01.2020 issued by the 3rd respondent as illegal and unconstitutional.

For Petitioners

: M/s.G.V.Seethalekshmi

For Respondents

: Mr.S.Kamalesh Kannan
Government Advocate
for respondent No.1

: Mr.G.Bharadwaj
for respondent Nos.2 and 3

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Having heard Ms.G.V.Seethalekshmi, learned counsel for the petitioners; Mr.S.Kamalesh Kannan, learned Government Advocate for the first respondent State and Mr.G.Bharadwaj, learned counsel for the respondents 2 and 3/Employees State Insurance, we find that the issues raised in these writ petitions are directly covered by the Full Bench judgment dated 29.07.2020 in W.P.No.34236 of 2019 and batch cases (All India Private Educational Institutions Association, rep. by its State General Secretary K.Palaniyappan, No.5, M.P. Avenue, Majestic Colony, Saligramam, Chennai - 600 093 v. The State of Tamil Nadu, rep. by Principal Secretary to Government, Labour and Employment Department, Fort St. George, Chennai - 600 009 and another) [MANU/TN/3786/2020]. A copy of the judgment is before us.

These writ petitions are closed in terms of the Full Bench Judgment in All India Private Educational Institutions Association (supra). No costs. Consequently, W.M.P.Nos.8299, 8306, 8312, 8355, 8294 and 8324 of 2020 are also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1.The Principal Secretary to Government,
State of Tamil Nadu,
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.

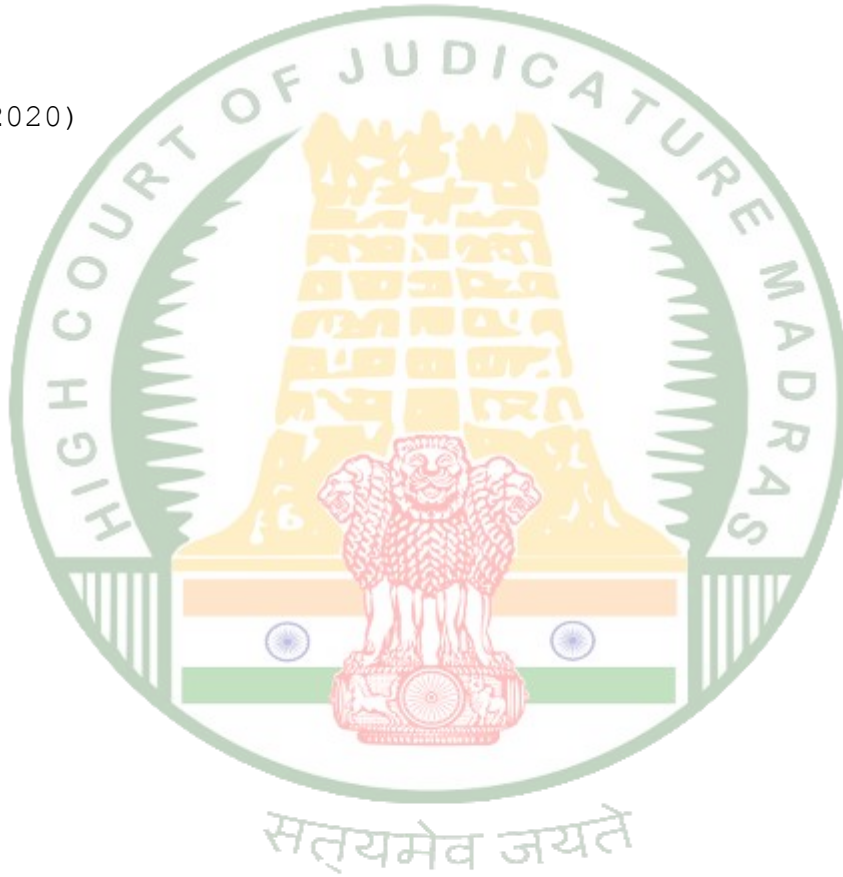
2.The Regional Director,
Employees State Insurance,
Regional Corporation,
No.143, Sterling Road,
Nungambakkam, Chennai-600 034.

3.The Deputy Director,
Employees' State Insurance Corporation,
Regional Office,
143, Sterling Road,
Chennai - 600 034.

+1CC to M/s.G.Bharadwaj, Advocate in SR 27317
+1CC to Government Pleader in SR 27353

W.P.Nos.6953, 6961 and 6974 of
2020

RLD(SO)
RV(01/09/2020)



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